

FILED

OCT 26 2022

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	NO. 4:22CR587-AGF/SRW
)	
ELIJAH BRIGGS,)	
HOLLY NAYLOR,)	
JESSICA KIRKPATRICK, and)	
REUBEN KIM,)	
)	
Defendants.)	

INDICTMENT

THE GRAND JURY CHARGES:

COUNTS 1 – 9

Bank Fraud 18 U.S.C. §1344

A. Introduction

1. At all times relevant to the Indictment, US Bank, The Missouri Bank, Aspiration Bank, and First Community Credit Union were all financial institutions within the meaning of 18 U.S.C. § 20.

2. At all times relevant to the Indictment, defendants **ELIJAH BRIGGS, HOLLY NAYLOR, JESSICA KIRKPATRICK, and REUBEN KIM** resided in the Eastern District of Missouri.

B. The Scheme to Defraud

3. Beginning on or about January 31, 2019, and continuing through at least 2021, in the Eastern District of Missouri and elsewhere, defendants **ELIJAH BRIGGS, HOLLY NAYLOR, JESSICA KIRKPATRICK, and REUBEN KIM**, aided and abetted by individuals known and

unknown to the Grand Jury, devised a scheme and artifice to obtain moneys, funds, and assets owned by and under the custody and control of federally insured financial institutions by means of false and fraudulent pretenses and representations.

C. Manner and Means

The Scheme and artifice to defraud was in substance as follows:

4. Beginning on or about January 31, 2019, Defendant Elijah Briggs began obtaining the personally identifiable information and checking account information of multiple victims by removing their outgoing or delivered U.S. Mail from their mailboxes.

5. It was further part of the scheme and artifice to defraud that Defendant Elijah Briggs then used the checks taken from the victims' mailboxes and altered the checks to be made payable to himself or people associated with Defendant Briggs, in amounts different from the original amount written on the check.

6. It was further part of the scheme and artifice to defraud that Defendant Elijah Briggs used the personally identifiable information of the victims to open bank accounts and credit accounts in the names of the victims, using his own contact information.

7. It was further part of the scheme and artifice to defraud that Defendant Elijah Briggs used the checking account information and personally identifiable information taken from the victims' mailboxes to access the victims' checking accounts via the victims' online bank account. Once he accessed the online accounts of the victims, Defendant Elijah Briggs would change the contact information for the victim to a phone number and/or email address created or accessible by Defendant Elijah Briggs. Defendant Elijah Briggs also used the online account access to send money in the victims' checking account to different bank accounts created or accessible by Defendant Elijah Briggs.

8. It was further part of the scheme and artifice to defraud that Defendant Elijah Briggs attempted to cash a legitimate payroll check issued to Defendant Elijah Briggs multiple times, knowing that he had already negotiated that legitimate payroll check and that he could not use it for multiple, duplicative payments.

9. It was further part of the scheme and artifice to defraud that the checking account information matching the legitimate payroll check issued to Defendant Elijah Briggs was used to create fraudulent and counterfeit checks, payable to and cashed by Defendants Holly Naylor and Reuben Kim.

10. It was further part of the scheme and artifice to defraud that Defendant Elijah Briggs used the checking account routing numbers and account numbers from legitimate checks for the checking accounts of other businesses and individuals to create fraudulent and counterfeit checks using a website called Check Robot. At the instruction and direction of Defendant Elijah Briggs, co-defendants Holly Naylor, Reuben Kim, and Jessica Kirkpatrick cashed counterfeit checks fraudulently made payable to them for purposes of receiving the fraudulent proceeds.

COUNT 1

11. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

12. On or about March 13, 2019, in the Eastern District of Missouri, the defendant,

ELIJAH BRIGGS,

aided and abetted by persons known and unknown to the Grand Jury, did knowingly execute a scheme and artifice to obtain the money, funds, and other property owned by or under the control of US Bank, by means of material false or fraudulent pretenses, representations and promises, in that **ELIJAH BRIGGS** did deposit and cash a stolen and altered check into a US Bank account

belonging to M.B., knowing that the check was not legitimate, and he had no authorized or legal purpose for accepting or converting funds drawn on the account of the victim.

In violation of Title 18, United States Code, Section 1344.

COUNT 2

13. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

14. In or about January 2019, continuing through in or about March 2019, in the Eastern District of Missouri, the defendant,

ELIJAH BRIGGS,

aided and abetted by persons known and unknown to the Grand Jury, did knowingly execute a scheme and artifice to obtain the money, funds, and other property owned by or under the control of The Missouri Bank, by means of material false or fraudulent pretenses, representations and promises, in that **ELIJAH BRIGGS** did access the online The Missouri Bank personal accounts of D.B. and N.B. and electronically withdraw money from those accounts to accounts controlled by Defendant Briggs or others associated with Defendant Briggs, and he had no authorized or legal purpose for withdrawing or converting funds drawn on the accounts of the victims.

In violation of Title 18, United States Code, Section 1344.

COUNT 3

15. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

16. In or about May 2021, continuing to in or about August 2021, in the Eastern District of Missouri, the defendant,

ELIJAH BRIGGS,

aided and abetted by persons known and unknown to the Grand Jury, did knowingly execute a scheme and artifice to obtain the money, funds, and other property owned by or under the control of The Missouri Bank and Aspiration Bank, by means of material false or fraudulent pretenses, representations and promises, in that **ELIJAH BRIGGS** did cash or attempt to cash one legitimate payroll check issued to Defendant Briggs at both banks in multiple transactions, knowing he had no authorized or legal purpose for cashing or depositing the payroll check more than once.

In violation of Title 18, United States Code, Section 1344.

COUNTS 4 & 5

17. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

18. On or about the dates listed below, in the Eastern District of Missouri, the defendant,

HOLLY NAYLOR,

aided and abetted by persons known and unknown to the Grand Jury, did knowingly execute a scheme and artifice to obtain the money, funds, and other property owned by or under the control of the victim banks as listed below, by means of material false and fraudulent pretenses, representations or promises, in that **HOLLY NAYLOR** did deposit and cash false and fraudulent counterfeit checks into accounts at the below listed financial institutions, knowing that the checks were not legitimate, and she had no authorized or legal purpose for accepting funds drawn on the accounts of the victim businesses, all without the knowledge or consent of the victim businesses:

Count	Date	Check Number	Victim Bank	Victim Business	Amount
4	9/10/2021	122198	US Bank	N.G.	\$1,945.80
5	9/29/2021	3989	First Community Credit Union	A.P.	\$1,625.45

All in violation of Title 18, United States Code, Section 1344.

COUNTS 6 & 7

19. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

20. On or about the dates listed below, in the Eastern District of Missouri, the defendant,

JESSICA KIRKPATRICK,

aided and abetted by persons known and unknown to the Grand Jury, did knowingly execute a scheme and artifice to obtain the money, funds, and other property owned by or under the control of the victim banks as listed below, by means of material false and fraudulent pretenses, representations or promises, in that **JESSICA KIRKPATRICK** did deposit and cash false and fraudulent counterfeit checks, into accounts at the below listed financial institutions, knowing that the checks were not legitimate, and she had no authorized or legal purpose for accepting funds drawn on the accounts of the victim businesses, all without the knowledge or consent of the victim businesses:

Count	Date	Check Number	Victim Bank	Victim Business	Amount
6	9/13/2021	1102387	US Bank	N.G.	\$1,045.50
7	9/9/2021	1101196	US Bank	N.G.	\$1,145.75

All in violation of Title 18, United States Code, Section 1344.

COUNTS 8 & 9

21. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

22. On or about the dates listed below, in the Eastern District of Missouri, the defendant,

REUBEN KIM,

aided and abetted by persons known and unknown to the Grand Jury, did knowingly execute a scheme and artifice to obtain the money, funds, and other property owned by or under the control

of the victim banks as listed below, by means of material false and fraudulent pretenses, representations and promises, in that **REUBEN KIM** did deposit and cash false and fraudulent counterfeit checks, into accounts at the below listed financial institutions, knowing that the checks were not legitimate, and he had no authorized or legal purpose for accepting funds drawn on the accounts of the victim businesses, all without the knowledge or consent of the victim businesses:

Count	Date	Check Number	Victim Bank	Victim Business	Amount
8	10/2/2021	3993	First Community Credit Union	A.P.	\$2,235.82
9	9/30/2021	3990	First Community Credit Union	A.P.	\$1,484.62

All In violation of Title 18, United States Code, Section 1344.

COUNTS 10 - 12

Aggravated Identity Theft – 18 U.S.C. § 1028A

23. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

24. On or about the dates listed below, in the Eastern District of Missouri, the defendant,

ELIJAH BRIGGS,

did knowingly possess, transfer, and use, without lawful authority, the name, date of birth, and Social Security Number of victim D.B., knowing that those means of identification belonged to another actual person, during and in relation to the commission of the felony offense of wire fraud, Title 18, United States Code, Section 1343:

COUNT	DATE	USE OF IDENTIFICATION
10	3/8/2019	Opening three bank accounts online at PNC Bank
11	9/28/2021	Opening two bank accounts online at Bank of America
12	4/4/2022	Attempting to open an account online with Capital One

All in violation of Title 18, United States Code, Section 1028A.

COUNT 13

Aggravated Identity Theft – 18 U.S.C. § 1028A

25. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

26. On or about March 13, 2019, in the Eastern District of Missouri, the defendant,

ELIJAH BRIGGS,

did knowingly possess, transfer, and use, without lawful authority, the name, checking account number, and signature of victim J.S., knowing that those means of identification belonged to another actual person, during and in relation to the commission of the felony offense of bank fraud, Title 18, United States Code, Section 1344.

In violation of Title 18, United States Code, Section 1028A.

COUNT 14

Possession of 15 or more Unauthorized Access Devices – 18 U.S.C. § 1029(a)(3)

27. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

28. On or about May 13, 2019, in the Eastern District of Missouri, the defendant,

ELIJAH BRIGGS,

did knowingly and with the intent to defraud, possessed more than 15 debit or credit cards belonging to other individuals, without those individuals' knowledge, permission, or authorization, said possession affecting interstate commerce, in that the cards had been transported by United States mail.

In violation of Title 18, United States Code, Section 1029(a)(3).

COUNT 15

Possession of Stolen Mail – 18 U.S.C. §1708

29. The allegations contained in paragraphs 1-10 are hereby realleged and incorporated by reference herein.

30. On or about May 13, 2019, in the Eastern District of Missouri, the defendant,

ELIJAH BRIGGS,

did unlawfully have in his possession a letter, postal card, package, bag, mail, or an article contained therein, which had been stolen, taken, embezzled, and abstracted from a letter box, mail receptacle, mail route, or carrier, which was an authorized depository for mail matter, knowing the said letter to have been stolen, taken, embezzled, and abstracted from an authorized depository for mail matter.

In violation of Title 18, United States Code, Section 1708.

A TRUE BILL

FOREPERSON

SAYLER A. FLEMING,
United States Attorney

DIANE E. KLOCKE, #61670MO
Special Assistant United States Attorney